

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

KAIROS CREDIT STRATEGIES OPERATING
PARTNERSHIP, LP,

Plaintiff,

-v-

THE FRIARS NATIONAL ASSOCIATION, INC., et
al.,

Defendants.

23 Civ. 02960 (AS) (RFT)

ORDER

ROBYN F. TARNOFSKY, United States Magistrate Judge:

In compliance with my Order dated May 17, 2024, Plaintiff made a supplemental submission addressing certain issues in connection with calculating the amount Plaintiff contends is owed to it. (See ECF 140.) On May 30, 2024, Defendant The Friars National Association, Inc., (“Friars Club”) filed a response in opposition, arguing among other things that “Plaintiff offers no supplemental support, for example, to validate the so-called protective advances that purportedly now exceed \$1,022,546.77 plus interest.” (See ECF 147.) Plaintiff seeks payment of approximately \$1,022,546.77 for six protective advances in connection with Friars Club’s default. (See ECF 131, Ex. A.) Plaintiff’s initial submission contained invoices, letters between counsel and receipts that appear to reference some, but not all, of the protective advances. (See ECF 131, Ex. C.)

Accordingly, Plaintiff is ordered, by June 4, 2024, to make a final supplemental submission in further support of the amount Plaintiff claims it is owed. This submission should contain explanations that are sufficient for me to determine, to a reasonable certainty, the amount Plaintiff is owed. Specifically, Plaintiff is directed to explain, by way of an affidavit from a person

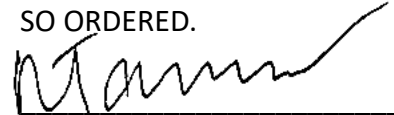
with knowledge of the underlying facts, and provide documentation in support of its request for reimbursement of “the 2/9/2024 Receivership Fees, ConEd Bill, LifeSafety Issues” totaling \$112,240.34 (see ECF 131 Ex. A at 4). If Plaintiff seeks to rely on its prior submissions for support it must include a specific page citation to the documentary evidence in support of its request to be reimbursed for the 2/9/2024 protective advances totaling \$112,240.34. If Plaintiff instead seeks to withdraw its request it may do so by filing a letter on the docket.

Plaintiff shall serve a copy of its submission in response to this Order on Defendants by email by June 4, 2024, and shall file proof of such service on the docket by June 4, 2024.

Defendants shall have until June 5, 2024, to file a response, if any, to Plaintiff’s submission in response to this Order.

DATED: June 3, 2024
New York, New York

SO ORDERED.

A handwritten signature in black ink, appearing to read 'R. Tarnofsky', written over a horizontal line.

ROBYN F. TARNOFSKY

United States Magistrate Judge